

Revised Pre-construction Notification Form for Nationwide Permit 48 released

Contact: Pamela Sanguinetti (206) 764-6904

The U. S. Army Corps of Engineers, Seattle District, announces the release of a revised pre-construction notification form specific to Nationwide Permit 48, Existing Commercial Shellfish Aquaculture Activities and associated directions. This form will assist existing commercial aquaculture operations in meeting the pre-construction notification (PCN) requirements of NWP 48.

NWP 48 authorizes the installation of buoys, floats, racks, trays, nets, lines, tubes, containers, and other structures necessary for the continued operation of the existing commercial shellfish activity. This NWP also authorizes discharges of dredged or fill material necessary for shellfish seeding, rearing, cultivating, transplanting, and harvesting activities. Rafts and other floating structures must be securely anchored and clearly marked.

NWP 48 requires a Preconstruction notification to the district engineer if: (1) the project area is greater than 100 acres; or (2) there is any reconfiguration of the aquaculture activity, such as relocating existing operations into portions of the project area not previously used for aquaculture activities; or (3) there is a change in species being cultivated; or (4) there is a change in culture methods (e.g., from bottom culture to off-bottom culture); or (5) dredge harvesting, tilling, or harrowing is conducted in areas inhabited by submerged aquatic vegetation (NWP General Condition 27).

Also, in the Seattle District, to meet national and regional conditions, NWP 48 requires preconstruction notification if any listed species or designated critical habitat or essential fish habitat might be affected or is in the vicinity of the project, or if there will be effects to any historic properties (NWP National General Condition 17, Seattle District Regional General Condition 6, and NWP National General Condition 18). In the Seattle District, all marine waters where aquaculture activities occur have listed species or designated critical habitat or essential fish habitat affected or in the vicinity. Hence, in the Seattle District all projects in marine waters require the submittal of a complete PCN.

In addition to the above, to qualify for any NWP authorization, the prospective permittee must comply with other general conditions, as appropriate, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer.

On May 31, 2007, a combination form that included both reporting and PCN information for NWP 48 was made available. This combination form did not provide enough information for the district engineer to determine if the permittee met the above listed National General Conditions or Seattle District Regional General Conditions. Therefore, a revised PCN form was developed by Seattle District with input from Washington State Department of Ecology and the commercial shellfish industry. Submittal of a complete form will help to expedite our review while keeping the reporting as simple as possible.

The Pre-construction Notification Form for Nationwide Permit 48 with instructions and examples of sketches is available online at <http://www.nws.usace.army.mil>; select Regulatory,

Forms. The online version is available as a PDF or Word document. Or, a printed version can be requested from Seattle District Corps of Engineers, CENWS-OD-RG, Post Office Box 3755, Seattle, Washington 98124-3755 or by calling (206) 764-3495.